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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,125	03/01/2002	Tomoaki Umeda	Q66588	3925

7590 10/17/2007

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EXAMINER	
SAX, STEVEN PAUL	
ART UNIT	PAPER NUMBER
2174	
MAIL DATE	DELIVERY MODE
10/17/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/085,125	UMEDA, TOMOAKI	
	Examiner	Art Unit	
	Steven P. Sax	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,4,6,7 and 9-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,4,6,7 and 9-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. 10/3/07
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1,3-4, 6-7, 9 - 34 are rejected under 35 USC 103(a) as being unpatentable over Nagasaka et al. ("Nagasaka"; US #6,697,090 B1) in view of Fredlund et al. ("Fredlund"; US #5,666,215) and Jackson et al. ("Jackson"; US #2002/0105658 A1) and Umebayashi ("Umebayashi", US #6,515,765).

As per the "data management method" of independent claim 1 (and also the comparable "apparatus" and "recording medium" of respective independent claims 4, 7), the use of an "icon corresponding to a data management unit with which data can be registered" is found in Nagasaka, where a "drag-and-drop" interface such as the One in figs 9(a), 9(b) appears. In Nagasaka, When the user selects a desired image and a desired printer among the possible choices and drags and drops the data icon of the selected image onto the icon of the selected printer, an instruction to transfer data of the selected image from the digital camera A to the selected printer is immediately given (col 12, lines 26 - 61). Such a transfer reads directly upon "registering the data with the data management unit", when a source icon in Nagasaka is dragged and dropped upon a printer destination. As is seen in figs 4(a), 9(a), 9(b), respectively, the levels of Cameras, Digital Camera A, and Digital Camera A's images are all selectable as icons representing "data".

While Nagasaka contains the illustration in the hierarchy of sources that "opening the

icon" can produce "a simple output of the data" in the case of, for example, a Camera A icon showing its image contents, Nagasaka does not contain an explicit teaching that "a simple output of the data registered with the data management unit to the display" should occur by "opening" the "icon corresponding to a data management unit" (though an intermediate device to which an object is dragged in Nagasaka may be an input device or an output device (col 4, lines 4 - 15), meaning that a destination "icon" subject to "registering the data" has the potential in such a case of being opened in, say, the style of the Digital Camera A icon, and thus yielding a "simple output").

However, the Fredlund SYSTEM AND METHOD FOR REMOTELY SELECTING PHOTOGRAPHIC IMAGES is such that images (28) from the digital image file are displayed in a column 52 (fig 3; col 5, lines 14 - 51) and the customer then identifies one of the images using a standard drag and drop computer interface, dragging it into the large display area 56. Fredlund is significant in this regard, in that when the image has been displayed in the display area 56 (and thus "registered" for image related services as an "order for the data registered"), various operations on the displayed image can be performed (col 5, line 52 - col 6, line 6), prior to submission to a photofinisher. This amounts to a print preview of the selected imagery that is being sent to a printer, and thus a "simple output of the data".

It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to have an "icon corresponding to a data management unit" that is a destination for "a drag-and-drop operation for the data onto the icon" as in Nagasaka, but where an alternative representation of the "icon" (such as that which would be

obtained "by opening the icon" in Nagasaka) is that of Fredlund's "simple output" as in the display area 56, because this provides an immediate indication to the Nagasaka user of what is being forwarded to further processing from initial "data". Motivation to modify Nagasaka (besides that of the destination icon being openable as a subsequent source) rests at least in Nagasaka's interest in providing a reliable indication of what is about to be printed, saving printing resources of the kind that will become particularly valuable in a specialty-printing arrangement such as Fredlund's.

Regarding the limitation that "the data are image data and the simple output is displaying a thumbnail image" (and also claims 5, 8), while the "image data" source has such thumbnails in both of Nagasaka and Fredlund, the Fredlund/Nagasaka combination does not contain an explicit situation of a selected image region showing such a "simple output" in "thumbnail image" form (though the print preview region 5.66 in Fredlund provides a "simple output" per se). However, in UTILIZING STORED IMAGES, Jackson has a user selecting at least one image to be utilized after viewing the displayed images, and selecting a service (Abstract). Jackson's fig 7 illustrates a "thumbnail" index with highlighting representing the images selected for a service (paragraphs [0049] [0050]). As in Fredlund, this is a "simple output of the data registered with the data management unit". It would have been further obvious to the person having ordinary skill in the art at the time of applicant's invention to use a selected image index such as Jackson's, in conjunction with the "data management method" seen in Nagasaka/Fredlund, for this will assist the user still further in understanding just what has been indicated for print "by carrying out a drag-and-drop

operation". The Nagasaka user, for example, would be motivated in the plural-item image selection from thumbnails in fig 6(b)to provide the user an indication of those items that have been cumulatively selected, so as to verify a print job order. Neither Jackson nor Fredlund go into the details of displaying input fields for inputting print quantities corresponding to the thumbnail image or the thumbnail images, but do discuss efficient presentation of data to be managed. Furthermore, Umebayashi does show this for efficient presentation of data to be managed (abstract, Figures 1,4, paragraphs 15, 37, 40). It would have been obvious to a person with ordinary skill in the art to have this in the invention of Jackson as modified by Fredlund, because it would allow efficient presentation of data to be managed.

As per claims 3, 6, 9, in the Nagasaka/Fredlund scenario, a Jackson selected item thumbnail screen as per the obvious modification can indicate "the case where a plurality of sets of the image data have been registered with the data management unit", this becoming (as in Fredlund and Jackson both) "an order screen". Both Fredlund and Jackson also have "receiving an input of the content of a print order" and "generating order information", being involved as they are in photo processing.

Regarding claims 10-12, as seen in Fredlund's figs 1A, 1B, a "remote service provider" as in claims 10 - 12 is capable of all of "storing image data, recording the image data on portable recording medium" (as via a photo CD writer 113), and "printing image data" as by the printer units 106, 108, 110.

As per claims 13 - 15, Jackson's user uploads di.qital files In another embodiment, containin.q videos, audio recordinqs, or scanned documents such as children's drawinqs, deeds, wills, etc. (paragraph [0078]), to read upon the claimed "image data, audio data, moving-image data and text-file data".

Regarding claims 16-18, In addition to the above-noted "thumbnail image of the image data" (claims 16 - 18), thumbnails depicting one or more images of a video clip, or an audio snippet providing a short audio recordin.q are provided for user selection in Jackson, to read upon a "simple output" of "a portion of the audio data" and "still image of a scene in the moving-image data", while the representations in Jackson are "a print preview of the text file" for scanned documents.

As per claims 19 - 21 (and also claims 25 - 27), in which "the data management unit stores the data or a link to the data", when Fredlund's user has "registered .... data", it is forwarded to a photo processinq lab (col 6, lines 50 - 63), at which a buffered copy of some sort will be retained.

Regarding claims 22-24, having "a plurality of data" being "individually dragged-and-dropped onto the icon to register the plurality of data" (claims 22 - 24) is implied by the user having the capability to select multiple images from a region 603 as in fig 6(b) of

Nagasaka.

As per independent claim 28's "image display and ordering method" (and the parallel "apparatus", "medium" of respective independent claims 30, 32), the Nagasaka arrangement provides both for "a display icon corresponding to a stored image data set" (such as Di.gital Camera A's indications) and "an order icon corresponding to an image data set selected for ordering", when the Printer icons are extended to the environment of developing order information as in Fredlund, with "registering" being accomplished by "a drag-and-drop operation" in Nagasaka. When Nagasaka's source preview for Camera A is accompanied by the use of print preview region 566 in Fredlund, "a simple image,' is accessible upon the opening of each such "icon". Should the Nagasaka user have Fredlund's notification of what is about to be printed upon "opening the order icon" at the Printer location, "image order processing of the registered image" is possible, as in the image modifications possible in Fredlund's preview region. Alternatively, the Nagasaka/Fredlund combination reads reasonably upon "image order processing", when the Nagasaka icon is at all accessed upon "opening the order icon" to show Fredlund's preview.

As per claims 29, 31, 33, "a simple image of each registered image" will be presented as in Fredlund, noted above. Then, "requesting print order information" occurs in Fredlund, to specify what the photofinisher should do. Finally, the Fredlund photo processin.q lab 14 as in figs 1A, 1B is the destination for "sending the print order

information to a remote processing center".

As per claim 34, "data selection and order content input can be carried out at one time" in Nagasaka, where placement upon the drop-destination assigns the image to further processing, when combined with Fredlund, where "order content" is specifically designated.

3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. The remarks are all drawn to the new feature of displaying input fields for inputting print quantities corresponding to the thumbnail image(s), and this is shown in the Umebayashi reference.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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STEVEN SAX
PRIMARY EXAMINER